

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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BENJAMIN JOHN BIESE,

Plaintiff,

-vs-

Case No. 14-CV-0026

WILLIAM POLLARD,  
TONY MELI,  
BRIAN GREFF, and  
CO BEASLEY,

Defendants.

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**DECISION AND ORDER**

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In an Order entered February 19, 2015, the Court resolved a number of pending motions and directed the plaintiff to respond to the defendants' motion for summary judgment regarding exhaustion of administrative remedies on or before March 20, 2015. The next day, the Court received a motion from the plaintiff seeking a 30 day extension of time to respond; the Court did not immediately decide that motion because the extension had already been built into the Order the previous day. Nevertheless, the plaintiff has not filed a response to the defendants' motion for summary judgment. And, on May 6, 2015, the plaintiff filed a notice of voluntary dismissal that included this case.

Under Federal Rule of Civil Procedure 41(a)(2), a notice of voluntary dismissal at this stage requires a court order. The Court will dismiss this case with prejudice due to the time and effort the defendants have expended on their motion for summary judgment.

**IT IS THEREFORE ORDERED** that this case is **dismissed with prejudice**.

**IT IS FURTHER ORDERED** that the Clerk of Court shall enter judgment accordingly and terminate any pending motions in this case.

Dated at Milwaukee, Wisconsin, this 8th day of May, 2015.

**SO ORDERED,**



HON. RUDOLPH T. RANDA  
U. S. District Judge